

## **Native Dispute Resolution Network**

### **Mission and Purpose**

The mission of the Native Dispute Resolution Network is to create a centralized, broadly accessible, and valued referral system of dispute resolution practitioners with the knowledge and experience needed to assist parties involved in environmental, natural resources, or public/trust lands issues where American Indians, Alaska Natives, Native Hawaiians, and federal agencies are primary parties.

The primary objectives of the Network include:

- Encourage the use of a wide variety of alternative dispute resolution and agreement seeking processes when appropriate in matters involving American Indians, Alaska Natives, Native Hawaiians, and federal agencies or interests.
- Broaden the diversity of the field of alternative dispute resolution by establishing a network and information exchange for American Indian, Alaska Native, Hawaiian Native, and other practitioners who work with Native peoples.
- Share skills and expertise among Native and non-Native conflict resolution practitioners.
- Improve the ability of all parties to engage effectively in alternative dispute resolution processes.

### **Current Status and Recruitment**

Fifty-one individuals are included in the Network as a result of the initial Network recruitment process that concluded in June 2004. Network members include American Indian, Native Hawaiian, and other practitioners who work with Native peoples. Forty-one of the Network members are practitioners, who have natural resource and environmental experience as well as experience resolving disputes involving tribes using traditional an/or “western” mediation. Ten Network members are partners who have extensive experience working with various tribes in a wide variety of capacities. The role of Network partners is to team with practitioners to maximize expertise and skills. Network member recruitment will begin again in the fall and Network implementation and user outreach will begin in the early winter 2004. Information about the experience and knowledge necessary to be included in the Network can be downloaded from the U.S. Institute’s website: [www.ecr.gov/naan.htm](http://www.ecr.gov/naan.htm). If you are looking for assistance from a Network member, please contact Joan Calcagno at [Nativenetwork@ecr.gov](mailto:Nativenetwork@ecr.gov) or 520.670.5299 ext. 19.

### **Approach**

The development of the Network will continue to be an incremental process in order to integrate feedback and comments. The first step in this process is to identify an initial group of practitioners with the knowledge and experience needed to assist parties involved in environmental, natural resources, or public/trust lands issues where American Indians, Alaska Natives, Native Hawaiians, and federal agency staff are primary parties. As the number of dispute resolution practitioners included in the Network grows, practitioners will be encouraged to share skills and expertise through partnering and training.

The initial focus of the Network is to identify American Indian, Alaska Native, Native Hawaiian, and other dispute resolution practitioners who work with tribes and federal agencies in the resolution of disputes pertaining to environmental, natural resource, or public/trust lands issues. In addition, the Network will also include individuals with experience working in Indian Country, in combination with other relevant experience, as potential partners with dispute resolution practitioners. Future efforts could include the identification of dispute resolution practitioners who resolve conflicts between and/or within tribes and may extend beyond environmental, natural resources, and public/trust lands issues. The initiation of subsequent efforts is contingent upon sufficient development of the first and current effort, expressed need and interest by tribes and Native American organizations, and the identification and commitment of such entities to take the lead in subsequent efforts.

## Background

The U.S. Institute for Environmental Conflict Resolution initiated the development of the Network in response to comments from a wide audience about the need for a mechanism to identify American Indian, Alaska Native, and Native Hawaiian dispute resolution practitioners who can assist in environmental conflict resolution processes involving Native American tribes and issues. The development of the Network is underwritten in part by the William and Flora Hewlett Foundation.

The direct involvement of American Indian, Alaska Native, and Native Hawaiian practitioners, government, and court representatives has been, and continues to be, essential to the successful development of the Network. In developing the Network, the U.S. Institute sought input from individuals and organizations that provide and use environmental conflict resolution (ECR) services. The U.S. Institute worked with a coordination team of seventeen people, whose collective expertise and experience constitute the following:

- Dispute resolution experience with emphasis on environmental, natural resources and public/trust lands issues.
- Natural resource management and policy experience.
- Experience working with tribes and Native peoples.
- Being a member of Native American organization, government, or court, a Native American focused academic program, or an employee of federal tribal projects or programs.
- Experience working with federal agencies.

The coordination team members also provided individual input to the U.S. Institute for use in developing the elements, as well as the framework and strategy for identifying practitioners to be included in the Network.

## About the U.S. Institute

The U.S. Institute is a federal program established by the U.S. Congress to assist parties in resolving environmental, natural resource, and public lands conflicts. The U.S. Institute is part of the Morris K. Udall Foundation, an independent federal agency of the executive branch overseen by a board of trustees appointed by the President. The U.S. Institute serves as an impartial, non-partisan institution providing professional expertise, services, and resources to all parties involved in such disputes, regardless of who initiates or pays for assistance. The U.S. Institute helps parties determine whether collaborative problem solving is appropriate for specific environmental conflicts, how and when to bring all the parties to the table, and whether a third-party facilitator or mediator might be helpful in assisting the parties in their efforts to reach consensus or to resolve the conflict. In addition, the U.S. Institute maintains a roster of qualified facilitators and mediators with substantial experience in environmental conflict resolution, and can help parties in selecting an appropriate neutral. See [www.ecr.gov](http://www.ecr.gov) for more information about the U.S. Institute.

Your feedback about the Network is important to the U.S. Institute as we continue to develop this resource. The U.S. Institute welcomes your input. Please direct your comments to:

Sarah Palmer, Senior Program Manager  
U.S. Institute for Environmental Conflict Resolution  
130 South Scott Avenue  
Tucson, AZ 85701  
Phone: 520-670-5655  
Email: [palmer@ecr.gov](mailto:palmer@ecr.gov)

### Coordination Team Members:

**Manley Begay**, Director, and **Joan Timeche**, Assistant Director, Native Nations Institute

**Beadie Dawson**, Esq.

**Cheryl Fairbanks**, Esq.

**Jerry Gidner**, Office of the Assistant Secretary for Indian Affairs, U.S. Department of the Interior

**Carol Jorgensen**, Director, American Indian Environmental Office, U.S. Environmental Protection Agency

**Kathy Lynn**, Office of Collaborative Action and Dispute Resolution, U.S. Department of the Interior

**Lucy Moore**, Mediator

**Les Ramirez**, Esq.

**Lee Scharf**, Conflict Resolution Specialist, Conflict Prevention and Resolution Center, U.S. Environmental Protection Agency

**Marlon Sherman**, Mediator

**Jon Townsend**, Mediator

**Rebecca Tsosie**, Lincoln Professor of Native American Law & Ethics & Executive Director, Indian Legal Program, Arizona State University

**Lorintha Umtuch**, Ft. McDowell-Yavapi Tribal Court

**Stanley Webster**, Oneida Appeals Commission

**Charles Wilkinson**, Moses Lasky Professor of Law, University of Colorado

**Robert Yazzie**, Retired Chief Justice, Navajo Nation